

The Release Stage

Please note that FedBucks will send all information to the confirmed address of the individual requesting the information by recorded delivery.

Should FedBucks deny or restrict access, a reason for the decision does not need to be given but the applicant will be directed through the appropriate complaint channels.

Where information is not readily intelligible, an explanation (e.g. of abbreviations or terminology) will be provided.

Exemptions

Access may be denied or restricted where:

- The record contains information which relates to or identifies a third party that is not a care professional and has not consented to the disclosure. If possible, the individual should be provided with access to that part of the record which does not contain the third party information
- Access to all or part of the record will prejudice the carrying out of social work by reason of the fact that serious harm to the physical or

mental well-being of the individual or any other person is likely. If possible the individual should be provided with access to that part of the record that does not pose the risk of serious harm

- Access to all or part of the record will seriously harm the physical or mental well-being of the individual or any other person. If possible the individual should be provided with access to that part of the record that does not pose the risk of serious harm
- If an assessment identifies that to comply with a SAR would involve disproportionate effort under section 8(2)(a) of the Data Protection Act.

There is no requirement to disclose to the applicant the fact that certain information may have been withheld.

Complaints and Appeals

As a patient/patient representative you have the right to appeal against the decision of FedBucks to refuse access to the requested information. This appeal should be made in writing to:

**Admin and Governance Manager
FedBucks
Unit 3 Midshires Business Park
Smeaton Close
Aylesbury
HP19 8HL**



PATIENT ACCESS TO INFORMATION



FedBucks

Tel: 0300 033 9842

Fax: 01296 393906

Email: bucksadmin@nhs.net

www.fedbucks.co.uk



Buckinghamshire

Introduction

This leaflet provides patients and their representatives with a process for the management of requests for personal information (for living individuals) under the Data Protection Act (DPA), the General Data Protection Regulations (GDPR) and (for deceased individuals) the Access to Health Records Act 1990.

Under the Data Protection Act/GDPR, subject to certain conditions, as a patient/patient representative you are entitled to be:

- told whether any personal data is being processed;
- given a description of the personal data, the reasons it is being processed and whether it will be given to any other organisations or people; and
- given a copy of the information comprising the data; and
- given details of the source of the data (where this is available).

Access encompasses the following rights:

- to obtain a copy of the record in permanent form; and
- to have information provided in an intelligible format (and explained where necessary)

Who can make an Access Request?

An application for access to personal data may be made to FedBucks by any of the following:

- an individual
- a person authorised by the individual in writing to make the application on an individual's behalf e.g. solicitor, family member, carer
- a person having parental responsibility for the individual where he/she is a child.
- a person appointed by a court to manage the affairs of an individual who is deemed incompetent
- individuals who hold a health and welfare Lasting Power of Attorney
- where the individual has died, the personal representative and any person who may have a claim arising out of the individual's death (the executor of the deceased's will; someone who has been appointed as an Administrator of the Estate by the Courts; someone who has the written consent of either of the above to be given access, someone who is in the process of challenging the deceased's will)

The applicant does not have to give a reason for applying for access.

FedBucks is a Data Controller and can only provide information held by the organisation. Data controllers in their own right must be applied to directly, FedBucks will not transfer requests from one organisation to another.

Application

Individuals wishing to exercise their right of access should:

- make a written application to FedBucks by post to **Admin and Governance Manager, FedBucks, Unit 3 Midshires Business Park, Smeaton Close, Aylesbury, HP19 8HL** or email **bucksadmin@nhs.net**; and
- provide such further information as FedBucks may require to sufficiently identify you as the individual patient or as someone with consent to represent the patient.

FedBucks as "data controller" is responsible for ascertaining the purpose of the request and the manner in which the information is supplied.

Fees and Response Time

Under GDPR FedBucks must provide information free of charge. However, we can charge a "reasonable fee" when a request is manifestly unfounded or excessive, particularly if it is repetitive.

FedBucks will respond to all requests within one calendar month of receipt of the request. This period can be extended for a further two months where requests are complex or numerous; however FedBucks would inform you within one month of receipt of the request and explain why the extension is necessary.